

REMARKS

The Examiner's attention to the present application is noted with appreciation.

In the second paragraph of page 2 of the Office Action dated November 15, 2004, the Examiner suggested guidelines for Applicant to use in arranging the specification. Applicant has amended the specification in accord with those guidelines.

In the first paragraph of page 3 of the Office Action, the Examiner objected to the disclosure with respect to the omission of continuation data. Applicant has amended the specification to include that data under the heading "CROSS-REFERENCE TO RELATED APPLICATIONS".

In the third paragraph of page 3 of the Office Action, the Examiner rejected claims 1-5 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended claim 1 as follows: (1) to replace "the controlled admittance" with "a controlled admittance; (2) to delete references to a "building" and "enclosed or guarded" so that the broader term "area" remains, which is a more accurate representation of the scope of the invention; (3) to clarify that the rotation of the axis is stoppable; (4) to replace "which" with "said"; (5) to clarify that a horizontal arm prevents passage of a person into the area; (6) to clarify that the arms not in a blocking position extend upwards.

Applicant has amended claim 4 to delete "the non-horizontal arms".

Applicant has amended claim 5 to replace "a rounded -off free end " with "a free end comprising a convex shape".

Applicant has made other amendments to claims 1-5 for clarification.

In the second full paragraph of page 4 of the Office Action, the Examiner rejected claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by U.S Patent No. 985,544 (to Perey). The rejection is traversed, particularly in light of the amendment to claim 1. The Examiner stated that "Perey discloses a turnstile comprising a body (5) mounted and rotated on an axis, at least three arms (6) wherein the arms (the top portion of each arm) extend upwards and when one arm (6) is in a blocking position at least two other arms extend horizontally (in a non-blocking position) with respect to a blocking passage of the arm in the blocking position, and each arm has an end which is rounded" (i.e., curved at the free end).

The device of Perey is distinguishable from the present invention in several ways. First, only a portion of an arm (6) of Perey extends upwards. The other portion extends downwards. The overall orientation of the entire arm is horizontal. Second, the arms (6) of Perey are always in a horizontal position, regardless of whether blocking a passage or not blocking a passage. The arms of the present invention are either horizontal or extending upwards. An arm of the present invention is in a horizontal only when blocking a passage. In other words, each arm alternates between a horizontal orientation and an upward angled orientation. Finally, the arms (6) of Perrey are not "rounded". The tubular structures comprising the arms (6) of Perey are curved at the free end portions of the longitudinal axis of those arms. The free end terminus of the arms of the present invention are rounded (i.e., convex), but there is no curve in the end portion of the longitudinal axis of the arms. Claim 1 has been amended to clarify those distinctions.

In view of the above amendments and remarks, it is respectfully submitted that all grounds of rejection and objection have been avoided and/or traversed. It is believed that the case is now in condition for allowance and same is respectfully requested.

If any issues remain, or if the Examiner believes that prosecution of this application might be expedited by discussion of the issues, the Examiner is cordially invited to telephone the undersigned attorney for Applicant at the telephone number listed below.

Respectfully submitted,

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